

By: Wu

H.B. No. 703

A BILL TO BE ENTITLED

AN ACT

relating to the availability of personal information of a child protective services caseworker or investigator.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 552.117(a), Government Code, is amended to read as follows:

(a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of the following person or that reveals whether the person has family members:

(1) a current or former official or employee of a governmental body, except as otherwise provided by Section 552.024;

(2) a peace officer as defined by Article 2.12, Code of Criminal Procedure, or a security officer commissioned under Section 51.212, Education Code, regardless of whether the officer complies with Section 552.024 or 552.1175, as applicable;

(3) a current or former employee of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department, regardless of whether the current or former employee complies with Section 552.1175;

(4) a peace officer as defined by Article 2.12, Code of Criminal Procedure, or other law, a reserve law enforcement

1 officer, a commissioned deputy game warden, or a corrections
2 officer in a municipal, county, or state penal institution in this
3 state who was killed in the line of duty, regardless of whether the
4 deceased complied with Section 552.024 or 552.1175;

5 (5) a commissioned security officer as defined by
6 Section 1702.002, Occupations Code, regardless of whether the
7 officer complies with Section 552.024 or 552.1175, as applicable;

8 (6) an officer or employee of a community supervision
9 and corrections department established under Chapter 76 who
10 performs a duty described by Section 76.004(b), regardless of
11 whether the officer or employee complies with Section 552.024 or
12 552.1175;

13 (7) a current or former employee of the office of the
14 attorney general who is or was assigned to a division of that office
15 the duties of which involve law enforcement, regardless of whether
16 the current or former employee complies with Section 552.024 or
17 552.1175;

18 (8) a current or former employee of the Texas Juvenile
19 Justice Department or of the predecessors in function of the
20 department, regardless of whether the current or former employee
21 complies with Section 552.024 or 552.1175;

22 (9) a current or former juvenile probation or
23 supervision officer certified by the Texas Juvenile Justice
24 Department, or the predecessors in function of the department,
25 under Title 12, Human Resources Code, regardless of whether the
26 current or former officer complies with Section 552.024 or
27 552.1175;

1 (10) a current or former employee of a juvenile
2 justice program or facility, as those terms are defined by Section
3 [261.405](#), Family Code, regardless of whether the current or former
4 employee complies with Section [552.024](#) or [552.1175](#); ~~[or]~~

5 (11) a current or former member of the Texas military
6 forces, as that term is defined by Section [437.001](#); or

7 (12) a current or former child protective services
8 caseworker or investigator for the Department of Family and
9 Protective Services, regardless of whether the caseworker or
10 investigator complies with Section [552.024](#) or [552.1175](#).

11 SECTION 2. The heading to Section [552.1175](#), Government
12 Code, is amended to read as follows:

13 Sec. 552.1175. EXCEPTION: CONFIDENTIALITY OF CERTAIN
14 PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS AND OTHER
15 OFFICIALS PERFORMING SENSITIVE GOVERNMENTAL FUNCTIONS [~~, COUNTY~~
16 ~~JAILERS, SECURITY OFFICERS, EMPLOYEES OF CERTAIN CRIMINAL OR~~
17 ~~JUVENILE JUSTICE AGENCIES OR OFFICES, AND FEDERAL AND STATE~~
18 ~~JUDGES]~~.

19 SECTION 3. Section [552.1175](#)(a), Government Code, is amended
20 to read as follows:

21 (a) This section applies only to:

22 (1) peace officers as defined by Article [2.12](#), Code of
23 Criminal Procedure;

24 (2) county jailers as defined by Section [1701.001](#),
25 Occupations Code;

26 (3) current or former employees of the Texas
27 Department of Criminal Justice or of the predecessor in function of

1 the department or any division of the department;

2 (4) commissioned security officers as defined by
3 Section 1702.002, Occupations Code;

4 (5) employees of a district attorney, criminal
5 district attorney, or county or municipal attorney whose
6 jurisdiction includes any criminal law or child protective services
7 matters;

8 (6) officers and employees of a community supervision
9 and corrections department established under Chapter 76 who perform
10 a duty described by Section 76.004(b);

11 (7) criminal investigators of the United States as
12 described by Article 2.122(a), Code of Criminal Procedure;

13 (8) police officers and inspectors of the United
14 States Federal Protective Service;

15 (9) current and former employees of the office of the
16 attorney general who are or were assigned to a division of that
17 office the duties of which involve law enforcement;

18 (10) current or former juvenile probation and
19 detention officers certified by the Texas Juvenile Justice
20 Department, or the predecessors in function of the department,
21 under Title 12, Human Resources Code;

22 (11) current or former employees of a juvenile justice
23 program or facility, as those terms are defined by Section 261.405,
24 Family Code;

25 (12) current or former employees of the Texas Juvenile
26 Justice Department or the predecessors in function of the
27 department; [~~and~~]

1 (13) federal judges and state judges as defined by
2 Section 13.0021, Election Code; and

3 (14) a current or former child protective services
4 caseworker or investigator for the Department of Family and
5 Protective Services.

6 SECTION 4. Section 25.025(a), Tax Code, is amended to read
7 as follows:

8 (a) This section applies only to:

9 (1) a current or former peace officer as defined by
10 Article 2.12, Code of Criminal Procedure;

11 (2) a county jailer as defined by Section 1701.001,
12 Occupations Code;

13 (3) an employee of the Texas Department of Criminal
14 Justice;

15 (4) a commissioned security officer as defined by
16 Section 1702.002, Occupations Code;

17 (5) a victim of family violence as defined by Section
18 71.004, Family Code, if as a result of the act of family violence
19 against the victim, the actor is convicted of a felony or a Class A
20 misdemeanor;

21 (6) a federal judge, a state judge, or the spouse of a
22 federal judge or state judge;

23 (7) a current or former employee of a district
24 attorney, criminal district attorney, or county or municipal
25 attorney whose jurisdiction includes any criminal law or child
26 protective services matters;

27 (8) an officer or employee of a community supervision

1 and corrections department established under Chapter 76,
2 Government Code, who performs a duty described by Section 76.004(b)
3 of that code;

4 (9) a criminal investigator of the United States as
5 described by Article 2.122(a), Code of Criminal Procedure;

6 (10) a police officer or inspector of the United
7 States Federal Protective Service;

8 (11) a current or former United States attorney or
9 assistant United States attorney and the spouse and child of the
10 attorney;

11 (12) a current or former employee of the office of the
12 attorney general who is or was assigned to a division of that office
13 the duties of which involve law enforcement;

14 (13) a medical examiner or person who performs
15 forensic analysis or testing who is employed by this state or one or
16 more political subdivisions of this state;

17 (14) a current or former member of the United States
18 armed forces who has served in an area that the president of the
19 United States by executive order designates for purposes of 26
20 U.S.C. Section 112 as an area in which armed forces of the United
21 States are or have engaged in combat;

22 (15) a current or former employee of the Texas
23 Juvenile Justice Department or of the predecessors in function of
24 the department;

25 (16) a current or former juvenile probation or
26 supervision officer certified by the Texas Juvenile Justice
27 Department, or the predecessors in function of the department,

1 under Title 12, Human Resources Code; ~~and~~

2 (17) a current or former employee of a juvenile
3 justice program or facility, as those terms are defined by Section
4 [261.405](#), Family Code; and

5 (18) a current or former child protective services
6 caseworker or investigator for the Department of Family and
7 Protective Services.

8 SECTION 5. The changes in law made by this Act to Sections
9 [552.117](#) and [552.1175](#), Government Code, and Section [25.025](#), Tax
10 Code, apply only to a request for information that is received by a
11 governmental body or an officer on or after the effective date of
12 this Act. A request for information that was received before the
13 effective date of this Act is governed by the law in effect on the
14 date the request was received, and the former law is continued in
15 effect for that purpose.

16 SECTION 6. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section [39](#), Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2017.